

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NORTH DAKOTA**

United States of America,)	
)	
Plaintiff,)	ORDER DENYING MOTION
)	TO RECONSIDER ORDER
v.)	OF DETENTION
)	
Richard Mike Espinoza,)	Case No.: 1:24-cr-00082
)	
Defendant.)	

On June 4, 2024, the court held a detention hearing, at which Defendant was ordered detained pending trial (Doc. No. 19).

On August 5, 2024, Defendant filed a *Motion To Reconsider Order of Detention*. (Doc. No. 31). Defendant advised he has been accepted into Buffalo Bull Lodge through MHA Sober Living in Halliday, North Dakota, and requests the court release him so he may reside there.

A detention hearing may be reopened “if the judicial officer finds that information exists that was not known to the movant at the time of the hearing and that has a material bearing on the issue whether there are conditions of release that will reasonably assure the appearance of such persons as required and the safety of any other person and the community.” 18 U.S.C. § 3142(f)(2).

The information provided by Defendant that he has been accepted into MHA Sober Living is new. However, it does not address his danger to the community and his risk of flight. The court is concerned with Defendant’s substantial criminal history and history of flight from law enforcement. While the court is encouraged by Defendant’s willingness to attend a sober living facility, the court requires Defendant attend a more structured treatment environment. Even if the court were inclined to release Defendant to MHS Sober Living, Defendant lacks an adequate travel

itinerary for the courts' consideration. Accordingly, Defendant's motion is **DENIED** (Doc. No. 31).

IT IS SO ORDERED.

Dated this 6th day of August, 2024.

/s/ Clare R. Hochhalter
Clare R. Hochhalter, Magistrate Judge
United States District Court